

Classification: ~~CONFIDENTIAL~~
Message #: 1980SEOUL10215 (Film #: D800379-0522)
Systematic Review Decision: RELEASED, APPROVED

~~CONFIDENTIAL~~

RELEASE AUTHORITY: CAHILLA, SENIOR REVIEWER
U.S. DEPARTMENT OF STATE
RELEASE DECISION: RELEASE IN FULL
DATE: April 12, 2006

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ACTION EA-12

INFO OCT-01 ADS-00 SS-15 SP-02 HA-05 L-03 PA-01
 NSCE-00 DODE-00 CIAE-00 NSAE-00 INR-10 INRE-00
 SSO-00 /049 W

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O 080819Z AUG 80
FM AMEMBASSY SEOUL
TO SECSTATE WASHDC IMMEDIATE 8291
INFO AMEMBASSY TOKYO
SA CINCUNC KS
CHJUSMAG SEOUL KS
COMUSKOREA SEOUL KS//BJ-IS

~~C O N F I D E N T I A L~~ SEOUL 10215

E.O. 12065: GDS 08/08/86 (MONJO, JOHN C.) OR-M
TAGS: PINT PINS SHUM KS
SUBJECT: TRIAL OF KIM DAE JUNG TO BEGIN AUGUST 14;
- HE MAY HAVE A LAWYER

REF: (A) SEOUL 9552 (NOTAL), (B) SEOUL 9139,
- (C) SEOUL 9929 (NOTAL)

1. (C - ENTIRE TEXT)

2. FONMIN TONG JIN PARK (M-R: PAK TONG-CHIN) TOLD CHARGE
AUGUST 7 COURT MARTIAL OF KIM DAE JUNG (M-R: KIM TAE-
CHUNG) WILL BEGIN AUGUST 14. THE FORMAL INDICTMENT HAD
BEEN GIVEN TO KIM AUGUST 7, AND DEFENDANTS IN A COURT
MARTIAL ARE GIVEN SEVEN DAYS TO STUDY THE INDICTMENT AND
PREPARE A DEFENSE. FAMILY VISITS WILL BEGIN "SOON."
FONMIN HOPES THAT DECISIONS ON THE GROUND RULES FOR
ATTENDANCE BY THE DIPLOMATIC COMMUNITY AND PRESS WOULD
BE MADE CLEAR WITHIN THE NEXT FEW DAYS. PARK CONFIRMED
THAT THERE IS NO CHANCE THAT ANY OBSERVERS FROM ORGANIZA-
TIONS LIKE AMNESTY INTERNATIONAL WILL BE PERMITTED TO
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ATTEND THE TRIAL.

3. WE ARE NOT SURE IF KIM HAS OBTAINED LEGAL COUNSEL.
MRS. KIM DAE JUNG TOLD EMBOFF ON TELEPHONE AUGUST 7 THAT
AS OF THE DAY BEFORE NO ONE HAD AGREED TO REPRESENT HER
HUSBAND. "I THINK EVERYONE IS AFRAID," SHE SAID.
CARDINAL KIM (M-R: KIM SU-HWAN) TOLD POLCOUNS AUGUST 8
THAT THREE LAWYERS WHO MIGHT HAVE REPRESENTED KIM DAE JUNG
HAD IN FACT BEEN FORCED TO BOW OUT OF THE LEGAL PROFESSION
FOR ONE YEAR (REF A). WHAT KIM'S SUPPORTERS CLAIM IS THE
ROKG'S EARLIER CAMPAIGN TO INTIMIDATE LAWYERS WAS PERHAPS
TOO SUCCESSFUL; NONE WANTS TO REPRESENT KIM, THEY SAY.
CARDINAL KIM SAID THAT THE AUTHORITIES, REALIZING THIS THEN
APPROACHED INDIVIDUAL LAWYERS TO TAKE THE CASE, AND, WHEN
THAT MOVE FAILED, ASKED THE SEOUL BAR ASSOCIATION TO
SUPPLY NAMES OF PROSPECTIVE LAWYERS. THE ASSOCIATION
REFUSED. A MINOR ASSOCIATE OF KIM'S TOLD EMBOFF AUGUST 8
THAT TWO LAWYERS HAVE AGREED TO TAKE THE CASE, APPARENTLY

AT THE REQUEST OF THE AUTHORITIES. HOWEVER, SAID THAT SOURCE, NONE OF KIM'S SUPPORTERS TRUSTS THE TWO, SO WE ARE NOT SURE IF THE DEAL WILL STICK. THE SOURCE SAID THAT SOME OF KIM'S LIEUTENANTS ARE GOING TO MEET A RESPECTED LAWYER EVENING OF AUGUST 8 AND TRY TO GET HIM TO REPRESENT KIM BUT ARE NOT OPTIMISTIC THAT THE LAWYER WOULD DO SO.

4. SPECULATION CONTINUES ON KIM'S LIKELY SENTENCE. CARDINAL KIM SAID HE HAD HEARD THAT KIM WILL BE SENTENCED TO DEATH BY THE COURT MARTIAL, THAT THE SENTENCE WILL BE UPHELD ON APPEAL, BUT THAT THE SUPREME COURT WILL EVENTUALLY REDUCE THE SENTENCE TO LIFE IMPRISONMENT. GENERAL PAIK SEOK-CHU (M-R: PAEK SOK-CHU), DEPUTY COMMANDER OF THE COMBINED FORCES COMMAND, TOLD CHARGE SOMEWHAT CRYPTICALLY AUGUST 7 THAT THE U.S. SHOULDN'T BE
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SO WORRIED ABOUT KIM'S SENTENCE. MONJO

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